

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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STEPHEN ELLIOTT,

Plaintiff,

Civil Action No: 18-CV-5680

-against-

MOIRA DONEGAN, and JANE DOES (1-30),

Defendant.
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**DECLARATION OF NICHOLAS LEWIS, ESQ. IN OPPOSITION TO DEFENDANT’S
MOTION TO DISMISS**

NICHOLAS LEWIS, an attorney-at-law duly admitted to practice before the courts of the State of New York, and an associate at Nesenoff & Miltenberg, LLP, attorneys for Plaintiff herein, and who is not a party to this action, hereby declares as follows:

1. I am an associate at Nesenoff & Miltenberg, LLP (the “Firm”), attorneys of record for Plaintiff, Mr. Stephen Elliott (hereinafter “Plaintiff”), in the above-entitled action.

2. As such, I am fully familiar with the facts and circumstances set forth herein, by virtue of my representation of Plaintiff, and based upon review of the pleadings, affidavits, and proceedings had herein, and the file maintained by the Firm, and I respectfully submit this declaration in opposition to Defendant, Ms. Moira Donegan’s, Motion to Dismiss.

3. Annexed hereto as Plaintiff’s “Exhibit A” is a true and correct copy of the Transcript of the March 1, 2019 Court Conference before the Honorable Judge LaShann DeArcy Hall.

4. Annexed hereto collectively as Plaintiff’s “Exhibit B” is a true and correct copy of Plaintiff’s Letter to the Court, dated January 18, 2019, ECF Doc. 18, and Plaintiff’s Letter to the Court, dated April 22, 2019, ECF Doc. 33.

5. Annexed hereto as Plaintiff's "Exhibit C" is a true and correct copy of a portion of the Google spreadsheet entitled "Shitty Media Men List," and otherwise referred to as the "List" in this matter; Specifically, this is a true and correct copy of the "Header" in Row 1, Column C, instructing individuals how to post accusations anonymously. This portion of the List was captured from the List located at <https://docs.google.com/spreadsheets/d/1VMgNMqk1kG8Fr1nHEu5fsJRunWxcACJthDqH26daI/edit#gid=0>.

6. In accordance with 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
June 6, 2019

/s/ Nicholas Lewis
Nicholas Lewis, Esq.
Attorney for Plaintiff
363 Seventh Avenue, 5th Floor
New York, New York 10001
T.: (212) 736-4500